
IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH

UNITED STATES OF AMERICA,

Plaintiff,

v.

ROBERT BUCKLEY HARDY,

Defendant.

**ORDER CONTINUING TRIAL AND
EXCLUDING TIME FROM SPEEDY
TRIAL CALCULATIONS**

Case No. 2:25-cr-00040-JNP

Based on the Motion to Continue Jury Trial filed by Defendant, in the above-entitled case, and for good cause appearing, the court makes the following findings:

1. Mr. Hardy appeared before the court for his initial appearance and was originally arraigned on February 25, 2025, before Magistrate Judge Cecilia M. Romero. A three-day Jury Trial was scheduled for May 2, 2025, which was within the time allowed under the Speedy Trial Act.
2. Defendant has moved to continue trial pursuant to 18 U.S.C. § 3161(h)(7). This is Mr. Hardy's second request for a continuance of the trial in this matter and is made in good faith and not merely for the purpose of delay.
3. The length of the delay requested is 90 days.
4. Specifically, defendant alleged that the continuance is necessary because not granting the continuance would deny counsel for the defendant the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.

5. The supporting facts for this motion are as follows:

- a. Counsel for the government, Carlos Esqueda, has been contacted and stipulates to a continuance.
- b. Mr. Hardy is in custody and opposes continuance of the trial. Defense counsel is currently navigating and attempting to resolve manifold mental health issues that imbue the alleged offense conduct and were of concern to Magistrate Ceceilia Romero when she determined that ongoing detention was merited at the initial appearance. Dkt. No. 11.
 - i. These issues must be adequately addressed and resolved for defense counsel to ethically and competently confirm readiness for and represent Mr. Hardy at trial.
 - ii. The requested 90-days is needed to ensure the ongoing mental health issues attending this case's fact-pattern are adequately addressed and to secure Mr. Hardy's due process rights, particularly Mr. Hardy's right to effective assistance of counsel under the Sixth Amendment to the United States Constitution.
 - iii. Defense counsel is also researching the applicability of an affirmative defense, which is associated with the mental health issues cited in this motion.

6. There are no other defendants in this case.

Based on the foregoing findings, the court concludes that failure to grant such a continuance would deny counsel the reasonable time necessary for effective preparation, taking

into account the exercise of due diligence. Therefore, the ends of justice served by such a continuance outweigh the best interests of the public and Defendant in a speedy trial.

THEREFORE, the 3-day Jury Trial previously scheduled to begin on August 4, 2025, is hereby continued to the 3rd day of November, 2025, at 8:30 a.m. Accordingly, the time between the filing of the Motion to Continue Jury Trial, July 17, 2025, and the new trial date set forth above, November 3, 2025, is excluded from speedy trial computation for good cause.

DATED this 17th day of July 2025.

BY THE COURT:



JILL N. PARRISH

United States District Court Judge